

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ALISHA W. WILKES,

Plaintiff,

v.

GMAC MORTGAGE, LLC, *et al.*,

Defendants.

)
)
)
)
)
)
)
)
)
)

Civil No. 1:10-cv-01160 (CMH-TRJ)

**DEFENDANT GMAC MORTGAGE LLC’S MOTION *IN LIMINE* TO LIMIT
PLAINTIFF’S CLAIM FOR DAMAGES UNDER THE FAIR CREDIT REPORTING
ACT TO MARCH 19, 2010 THROUGH AUGUST 12, 2010**

Defendant GMAC Mortgage LLC (“GMACM” or “Defendant”), by counsel, moves this Court for entry of an Order prohibiting Plaintiff at trial from making any claim for damages under the Fair Credit Reporting Act beyond the period of time beginning March 19, 2010 and ending on August 12, 2010, and for a instruction so informing the jury of this limitation on Plaintiff’s claim for damages under the Fair Credit Reporting Act.¹

WHEREFORE, for the reasons set forth in Defendant’s accompanying Memorandum in Support filed simultaneously, GMAC Mortgage, LLC, requests this Court grant its foregoing Motion *in Limine* and for such other and further relief as this Court deems appropriate and just.

¹ Defendant will be filing a motion for summary judgment on Plaintiff’s claim under the FCRA. This Motion *in Limine* is filed in the alternative to the relief sought in the Motion for Summary Judgment.

Dated: July 7, 2011

Respectfully Submitted,

GMAC MORTGAGE LLC

By: /s/ John C. Lynch
Of Counsel

John C. Lynch (VSB No. 39267)
Ethan G. Ostroff (VSB No. 71610)
Elizabeth S. Flowers (VSB No. 78487)
Counsel for Defendant GMAC Mortgage LLC
TROUTMAN SANDERS LLP
222 Central Park Avenue, Suite 2000
Virginia Beach, Virginia 23462
Telephone: (757) 687-7765
Facsimile: (757) 687-1504
E-mail: john.lynch@troutmansanders.com
E-mail: ethan.ostroff@troutmansanders.com
E-mail: liz.flowers@troutmansanders.com

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Counsel for Plaintiff

John C. Bazaz, Esq.
Law offices of John Bazaz, PLC
4000 Legato Rd., Suite 1100
Fairfax, VA 22033
E-mail: jbazaz@bazazlaw.com

Leonard Anthony Bennett
Consumer Litigation Assoc PC
12515 Warwick Blvd., Suite 1000
Newport News, Virginia 23606
E-mail: lenbennett@cox.net

Matthew James Erausquin
Consumer Litigation Assoc PC
1800 Diagonal Road, Suite 600
Alexandria, Virginia 22314
E-mail: matt@clalegal.com

Counsel for America Funding, Inc.

Brian Nelson Casey, Esq.
Taylor & Walker PC
555 Main St , PO Box 3490
Norfolk, VA 23514-3490
Email: bcasey@taylorwalkerlaw.com

/s/ John C. Lynch

John C. Lynch (VSB No. 39267)
Counsel for Defendant GMAC Mortgage LLC
TROUTMAN SANDERS LLP
222 Central Park Avenue, Suite 2000
Virginia Beach, Virginia 23462
Telephone: (757) 687-7765
Facsimile: (757) 687-1504
E-mail: john.lynch@troutmansanders.com